
HOUSE BILL No. 1673

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-18-2-16; IC 9-24-17; IC 10-1-11; IC 16-19-3-26; IC 29-2-16-14.

Synopsis: Anatomical gift information system. Establishes the anatomical gift information system. Requires the superintendent of the state police department to establish a data base to receive anatomical gift donation information collected by and received from the bureau of motor vehicles and from other sources. Requires the superintendent of the state police department to adopt rules to administer the procedure for dissemination of the information contained in the system to organ procurement organizations. Requires the state police department to establish a registration page on its current Internet site on the world wide web in order to allow the public to make anatomical gifts through that means. Requires the bureau of motor vehicles to transmit the information contained in its records concerning each individual who has made an anatomical gift to the anatomical gift information system before July 1, 2002.

Effective: July 1, 2001.

Dillon, Grubb

January 17, 2001, read first time and referred to Committee on Human Affairs.

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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1673

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-18-2-16, AS AMENDED BY P.L.63-2000,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2001]: Sec. 16. (a) A person who owns a vehicle must sign an
4 application in ink to register the vehicle.

5 (b) An application to register a vehicle must contain the following:

6 (1) The:

7 (A) name, bona fide residence, and mailing address, including
8 the name of the county, of the person who owns the vehicle; or

9 (B) business address, including the name of the county, of the
10 person that owns the vehicle if the person is a firm, a
11 partnership, an association, a corporation, a limited liability
12 company, or a unit of government.

13 If the vehicle that is being registered has been leased and is
14 subject to the motor vehicle excise tax under IC 6-6-5 or the
15 commercial vehicle excise tax under IC 6-6-5.5, the application
16 must contain the address of the person who is leasing the vehicle.

17 If the vehicle that is being registered has been leased and is not



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subject to the motor vehicle excise tax under IC 6-6-5 or the commercial vehicle excise tax under IC 6-6-5.5, the application must contain the address of the person who owns the vehicle, the person who is the lessor of the vehicle, or the person who is the lessee of the vehicle. If a leased vehicle is to be registered under the International Registration Plan, the registration procedures are governed by the terms of the plan.

(2) A brief description of the vehicle to be registered, including the following information if available:

(A) The name of the manufacturer of the vehicle.

(B) The vehicle identification number.

(C) The manufacturer's rated capacity if the vehicle is a truck, tractor, trailer, or semitrailer.

(D) The type of body of the vehicle.

(E) The model year of the vehicle.

(F) Any other information reasonably required by the bureau to enable the bureau to determine if the vehicle may be registered. The bureau may request the person applying for registration to provide the vehicle's odometer reading.

(3) A space on the application in which the person registering the vehicle may indicate the person's desire to donate money to organizations that promote the procurement of organs for anatomical gifts. The space on the application must:

(A) allow the person registering the vehicle to indicate the amount the person desires to donate; and

(B) provide that the minimum amount a person may donate is one dollar (\$1).

Funds collected under this subdivision shall be deposited with the treasurer of state in a special account. The auditor of state shall monthly distribute the money in the special account to the anatomical gift promotion fund established by IC 16-19-3-26. The bureau may deduct from the funds collected under this subdivision the costs incurred by the bureau in implementing and administering this subdivision. **Expenses incurred by the state police department in administering the anatomical gift information system established under IC 10-1-11 shall be paid from money in the anatomical gift promotion fund established by IC 16-19-3-26.**

(c) The department of state revenue may audit records of persons who register trucks, trailers, semitrailers, buses, and rental cars under the International Registration Plan to verify the accuracy of the application and collect or refund fees due.

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SECTION 2. IC 9-24-17-7, AS AMENDED BY P.L.29-2000, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. (a) Before an individual who is less than eighteen (18) years of age may make an anatomical gift, the bureau must obtain and document the consent required under section 8 of this chapter and the consent of the individual's parent or guardian.

(b) The bureau may charge a fee to an individual making an anatomical gift under section 1 of this chapter. The fee must equal an amount necessary to cover the cost of:

(1) making available a document that acknowledges the making of the gift; and

(2) transmitting a record containing information concerning the making of the gift to the anatomical gift information system established under IC 10-1-11.

SECTION 3. IC 9-24-17-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. (a) The bureau shall keep a record containing information concerning each individual who has made an anatomical gift under this chapter.

(b) The bureau shall transmit the information described in subsection (a) to the state police department for inclusion in the anatomical gift information system established under IC 10-1-11.

SECTION 4. IC 10-1-11 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]:

Chapter 11. Anatomical Gift Information System

Sec. 1. As used in this chapter, "bureau" refers to the bureau of motor vehicles.

Sec. 2. As used in this chapter, "department" refers to the state police department created by IC 10-1-1-1.

Sec. 3. As used in this chapter, "superintendent" refers to the superintendent of the state police department or the superintendent's designee.

Sec. 4. As used in this chapter, "system" refers to the anatomical gift information system established under this chapter.

Sec. 5. (a) The superintendent shall establish an anatomical gift information system that employs a data base consisting of anatomical gift donation information received from the bureau by the department, as provided by IC 9-24-17-9, and anatomical gift information received from the public through other means, including mail registration.

(b) The superintendent shall maintain the data base established by subsection (a).



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(c) The superintendent shall adopt rules necessary under IC 4-22-2 necessary to administer this chapter, including the procedure for dissemination of the information contained in the system to organ procurement organizations. The rules shall provide that data contained within the anatomical gift information system is confidential, and that dissemination shall be made only to organ procurement organizations in a confidential manner.

Sec. 6. Not later than July 1, 2002, the department shall establish a registration page on its current Internet site on the world wide web in order to allow the public to make anatomical gifts through that means.

Sec. 7. Personal information (as defined in IC 9-14-3.5-5) consisting of anatomical gift information on a person's driver's license or identification document issued by the bureau may be disclosed to the department by the bureau as provided by IC 9-14-3.5-10 for inclusion in the system.

Sec. 8. Inclusion of the name of a potential donor (as defined in IC 29-2-16-1) in the system does not limit the individuals listed in IC 29-2-16-2(b) in objection to the making of a gift.

SECTION 5. IC 16-19-3-26, AS AMENDED BY P.L.63-2000, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 26. (a) The anatomical gift promotion fund is established. The fund consists of amounts distributed to the fund by the auditor of state under IC 9-18-2-16.

(b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds are invested. Interest that accrues from these investments shall be deposited in the fund.

(c) The state department shall administer the fund. Any expenses incurred in administering the fund shall be paid from the fund.

(d) **Expenses incurred by the state police department in administering the anatomical gift information system established under IC 10-1-11 shall be paid from the fund.**

(e) **After the expenses in subsection (d) have been paid,** the state department shall select appropriate organ procurement organizations to which the money deposited in the fund shall be distributed.

~~(e)~~ (f) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 6. IC 29-2-16-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 14. (a) The following persons shall make a reasonable search for information, **including consultation with the anatomical gift information system**

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1 **established under IC 10-1-11**, identifying the bearer as an organ or a
 2 tissue donor or as an individual who has refused to make a gift under
 3 this chapter:

4 (1) A law enforcement officer, paramedic, or other emergency
 5 rescuer finding an individual who the searcher believes is dead or
 6 near death.

7 (2) A hospital, upon the admission of an individual at or near the
 8 time of death, if there is not immediately available any other
 9 source of information regarding a gift or refusal to make a gift
 10 under this chapter.

11 (b) If a document of gift or evidence of refusal to make an
 12 anatomical gift is located by the search required by subsection (a), and
 13 the individual or body to whom it relates is taken to a hospital, the
 14 hospital must be notified of the contents of the document or refusal and
 15 the document or other evidence must be sent to the hospital.

16 **SECTION 7. [EFFECTIVE JULY 1, 2001] (a) The bureau of**
 17 **motor vehicles shall transmit before July 1, 2002, the information**
 18 **contained in its records concerning each individual who has made**
 19 **an anatomical gift under IC 9-24-17 to the anatomical gift**
 20 **information system established under IC 10-1-11, as added by this**
 21 **act.**

22 (b) This SECTION expires July 1, 2002.

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